

ASSEMBLY BILL

No. 1512

Introduced by Assembly Member Stone

January 14, 2014

An act to amend Section 4115.5 of the Penal Code, relating to corrections.

LEGISLATIVE COUNSEL'S DIGEST

AB 1512, as introduced, Stone. Corrections: inmate transfers.

Existing law, until July 1, 2015, authorizes the board of supervisors of a county, where, in the opinion of the county sheriff or the director of the county department of corrections, adequate facilities are not available for prisoners, to enter into an agreement with any other county whose county adult detention facilities are adequate for and accessible to the first county and requires the concurrence of the receiving county's sheriff or the director of the county department of corrections. Existing law also requires a county entering into a transfer agreement with another county to report annually to the Board of State and Community Corrections on the number of offenders who otherwise would be under that county's jurisdiction but who are now being housed in another county's facility and the reason for needing to house the offenders outside the county.

This bill would extend the operation of those provisions until July 1, 2020.

Existing law, operative July 1, 2015, authorizes a county where adequate facilities are not available for prisoners who would otherwise be confined in its county adult detention facilities to enter into an agreement with the board or boards of supervisors of one or more nearby counties whose county adult detention facilities are adequate for, and

are readily accessible from, the first county for the commitment of misdemeanants and persons required to serve a term of imprisonment in a county adult detention facility as a condition of probation in jail in a county that is party to the agreement. Existing law, operative July 1, 2015, requires these agreements to provide for the support of a person so committed or transferred by the county from which he or she is committed.

This bill would provide that those provisions become operative July 1, 2020.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 4115.5 of the Penal Code, as amended
2 by Section 72 of Chapter 41 of the Statutes of 2012, is amended
3 to read:

4 4115.5. (a) The board of supervisors of a county where, in the
5 opinion of the sheriff or the director of the county department of
6 corrections, adequate facilities are not available for prisoners who
7 would otherwise be confined in its county adult detention facilities
8 may enter into an agreement with the board or boards of
9 supervisors of one or more counties whose county adult detention
10 facilities are adequate for and accessible to the first county, with
11 the concurrence of that county's sheriff or director of its county
12 department of corrections. When the agreement is in effect,
13 commitments may be made by the court.

14 (b) A county entering into an agreement with another county
15 pursuant to subdivision (a) shall report annually to the Board of
16 State and Community Corrections on the number of offenders who
17 otherwise would be under that county's jurisdiction but who are
18 now being housed in another county's facility pursuant to
19 subdivision (a) and the reason for needing to house the offenders
20 outside the county.

21 (c) This section shall become inoperative on July 1, ~~2015~~ 2020,
22 and, as of January 1, ~~2016~~ 2021, is repealed, unless a later enacted
23 statute, that becomes operative on or before January 1, ~~2016~~ 2021,
24 deletes or extends the dates on which it becomes inoperative and
25 is repealed.

1 SEC. 2. Section 4115.5 of the Penal Code, as added by Section
2 73 of Chapter 41 of the Statutes of 2012, is amended to read:

3 4115.5. (a) The board of supervisors of a county where
4 adequate facilities are not available for prisoners who would
5 otherwise be confined in its county adult detention facilities may
6 enter into an agreement with the board or boards of supervisors of
7 one or more nearby counties whose county adult detention facilities
8 are adequate and are readily accessible from the first county,
9 permitting commitment of misdemeanants, and any persons
10 required to serve a term of imprisonment in county adult detention
11 facilities as a condition of probation, to a jail in a county having
12 adequate facilities that is a party to the agreement. That agreement
13 shall make provision for the support of a person so committed or
14 transferred by the county from which he or she is committed. When
15 that agreement is in effect, commitments may be made by the court
16 and support of a person so committed shall be a charge upon the
17 county from which he or she is committed.

18 (b) This section shall become operative on July 1, ~~2015~~ 2020.